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July 9, 2007

**Via Facsimile – (212) 805-7912**

Honorable John G. Koeltl  
United States District Judge  
United States Courthouse  
500 Pearl St., Room 1310  
New York, NY 10007

**Re: Minmetals S.A. v. Hawknet Ltd.**  
**Case No. 07-CV-03250 (JGK), S.D.N.Y.**

Dear Hon. Judge Koeltl:

We represent the Plaintiff, Minmetals, in the above captioned action. We refer to your Order dated June 19, 2007 discontinuing this action with prejudice but without costs; provided, however, that Plaintiff may apply to the Court within 30 days to restore the action to the calendar.

As Defendant's counsel had last advised the Court on May 29, 2007 the parties have reached a settlement of the underlying dispute and had agreed that the third tranche of \$461,738.51 under attachment at JP Morgan Chase Bank be released to the defendant. Accordingly, there now remains a balance of \$100,000 under attachment at the Bank. Defendant's counsel has been advised by the Bank's attorneys that it will not release this last installment without further order of this Court. The parties to this action have discussed replacing the \$100,000 at the bank with a separate security instrument in the form of a P&I Club letter of undertaking but, as of yet, no agreement has been reached on the terms of such a letter. In the circumstances, we respectfully request that Your Honor restore this action to the Court's active or suspense calendar so that, once the parties reach agreement as to the disposition of the \$100,000 that remains under attachment, an appropriate order can be obtained from the Court.

We thank Your Honor for your time and attention to the request set forth herein.

Respectfully submitted,

*Rahul Wanchoo*  
Rahul Wanchoo (RW-8725)

**cc: Via Facsimile (212) 221-1432**

Burke & Parsons  
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*The action is restored to  
the calendar  
The time to restore this  
action to the calendar is  
extended until 9/10/07.  
SO ordered. 7/9/07 J.G.Koeltl  
J.G.Koeltl*